

**KIMBALL JONES, ESQ.**  
Nevada Bar No.: 12982  
**JOSHUA P. BERRETT, ESQ.**  
Nevada Bar No.: 12697  
**BIGHORN LAW**  
3675 W. Cheyenne Ave., Suite 100  
North Las Vegas, Nevada 89032  
Phone: (702) 333-1111  
Email: [Kimball@Bighornlaw.com](mailto:Kimball@Bighornlaw.com)  
[Josh@Bighornlaw.com](mailto:Josh@Bighornlaw.com)  
*Attorneys for Plaintiff*

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

ANDREA BALISTRERI, an individual;  
  
Plaintiff,  
  
v.

KEY INSURANCE COMPANY, a foreign  
corporation; DOE DRIVER I-X; DOE OWNERS  
I-X; ROE OWNERS I-X; ROE EMPLOYERS I-  
X; AND ROE COMPANIES I-X,  
  
Defendants.

CASE NO.: 2:24-cv-00681-JAD-DJA

**STIPULATION AND ORDER TO  
EXTEND DISCOVERY DEADLINES**

**(Second Request)**

COMES NOW Plaintiff ANDREA BALISTRERI by and through his counsel of record KIMBALL JONES, ESQ., and JOSHUA P. BERRETT, ESQ., of the law firm of BIGHORN LAW and Defendant KEY INSURANCE COMPANY by and through its counsel, PHILIP GOODHART, ESQ., of the law firm of THORNDAL ARMSTRONG, PC., pursuant to Fed. R. Civ. P. 6(b), LR IA 6-1, LR 26-1 and LR 26-3, that Discovery Deadlines be extended by an additional 30 days. This is the parties' second request for a continuance of the discovery deadlines:

**A. DISCOVERY COMPLETED TO DATE.**

1. On June 25, 2024, Plaintiff served its FRCP 26 Initial Disclosures.
2. On August 2, 2024, Defendant served its FRCP 26 Initial Disclosures.
3. On August 29, 2024, Plaintiff served Defendant with Interrogatories.

4. On August 29, 2024, Plaintiff served Defendant with Request for Production of Documents.
5. On August 30, 2024, Plaintiff set the deposition of Defendant Key Insurance for October 28, 2024, however, this is in the process of being rescheduled, due to a last minute emergency.
6. On September 24, 2024, Plaintiff served its First Supplement to FRCP 26 Initial Disclosure.
7. On November 12, 2024, Defendant served Defendant, Key Insurance Company's Answers to Plaintiff's First Set of Interrogatories.

#### **B. DISCOVERY THAT REMAINS TO BE COMPLETED**

The parties have agreed to a 30-day extension to complete the remaining discovery. The discovery that remains to be completed includes:

1. Deposition of Key Insurance Company claims personnel and FRCP 30(b)(6) witnesses.
2. Defendant's Responses to Request for Production of Documents.
3. Plaintiff may need to be deposed.
4. Experts still need to be disclosed.
5. The parties may need to depose each other's retained experts.
6. Any other discovery the respective parties deem necessary.

#### **C. REASONS WHY THE PARTIES ARE REQUESTING EXTENSION/GOOD CAUSE**

Good cause exists for the extension of the current discovery deadlines as the Parties require additional time to complete the remaining necessary discovery. Defendant's FRCP 30(b)(6) witnesses deposition was being rescheduled to occur on December 5, 2024. Unfortunately, the witness had an emergency and will be out of the state in early December, 2024. The parties are currently working on coordinating dates for the deposition and anticipate it taking place before the end of the calendar year.

As the current expert disclosure is set for January 3, 2025, an extension of 30 days will afford the

parties time to complete discovery, assess any and all new documents, and take any depositions. All parties believe that the Court's granting of this stipulation would further the interests of justice and advance the merits of the case. As such, good cause exists for extending discovery. This request is made for dilatory purposes.

**D. PROPOSED REVISED DISCOVERY SCHEDULE**

	<b>CURRENT DEADLINE</b>	<b>PROPOSED DEADLINE</b>
Amending the Pleadings and Adding Parties	December 3, 2024	January 3, 2025
Initial Expert Disclosures	January 3, 2025	February 3, 2025
Rebuttal Expert Disclosures	February 3, 2025	March 3, 2025
Discovery Cut-Off	March 4, 2025	April 4, 2025
Dispositive Motions	April 7, 2025	May 7, 2025
Pre-Trial Order	May 5, 2025	June 5, 2025*

\*In the event that dispositive motions are filed, the date for filing the joint pretrial order will be suspended until thirty (30) days after decision of the dispositive motions or further order of the Court.

**IT IS SO STIPULATED.**

DATED this 4<sup>th</sup> day of December 2024.

**BIGHORN LAW**

**THORNDAL ARMSTRONG, PC**

By: /s/ Joshua P. Berrett

By: /s/ Philip Goodhart, Esq.

**KIMBALL JONES, ESQ.**

**PHILIP GOODHART, ESQ.**

Nevada Bar No.: 12982

Nevada Bar No. 5334

**JOSHUA P. BERRETT, ESQ.**

600 S. Las Vegas Blvd., Suite 400

Nevada Bar No.: 12697

Las Vegas, Nevada 89101-5315

3675 W Cheyenne Ave., Suite 100

*Attorneys for Key Insurance Company*

North Las Vegas, Nevada 89032

*Attorneys for Plaintiff*

**ORDER**

**IT IS SO ORDERED:**

  
**UNITED STATES MAGISTRATE JUDGE**

**Dated:** \_\_\_\_\_ December 5 \_\_\_, 2024.



Jennifer Miller &lt;jennifer.miller@bighornlaw.com&gt;

**[External] RE: Balistreri v Key Insurance/Stipulation and Order to Extend Discovery Deadlines (Second Request)**

1 message

**Philip Goodhart** <png@thorndal.com>

Wed, Dec 4, 2024 at 1:31 PM

To: Jennifer Miller &lt;jennifer.miller@bighornlaw.com&gt;

Cc: "Joshua P. Berrett, Esq." &lt;josh@bighornlaw.com&gt;, "Karen M. Berk" &lt;KMB@thorndal.com&gt;

Thanks Jennifer. You have my permission to affix my electronic signature.

Philip Goodhart | Shareholder | Thorndal Armstrong, PC

**PLEASE NOTE OUR NEW ADDRESS:****600 S. Las Vegas Boulevard, Suite 400****Las Vegas, NV 89101**Phone: (702) 366-0622 | fax: (702) 366-0327 | [png@thorndal.com](mailto:png@thorndal.com)

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[www.thorndal.com](http://www.thorndal.com)**From:** Jennifer Miller <jennifer.miller@bighornlaw.com>**Sent:** Tuesday, December 3, 2024 3:54 PM**To:** Philip Goodhart <png@thorndal.com>**Cc:** Joshua P. Berrett, Esq. <josh@bighornlaw.com>; Karen M. Berk <KMB@thorndal.com>**Subject:** Balistreri v Key Insurance/Stipulation and Order to Extend Discovery Deadlines (Second Request)

Good afternoon,

Attached please find a copy of the Stipulation and Order to Extend Discovery Deadlines (Second Request) in regard to the above-named matter for your review. Please advise if our office has your permission to affix your electronic signature to this document.

Sincerely,

--



**Jennifer Miller**  
Litigation Manager

Tel: (702) 333-1111 Ext. 15  
Email: [jennifer.miller@bighornlaw.com](mailto:jennifer.miller@bighornlaw.com)  
Web: [bighornlaw.com](http://bighornlaw.com)



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